

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JACINTO TARON ROBINSON,

Petitioner,

v.

WARDEN, FCI-MENDOTA,

Respondent.

Case No. 1:22-cv-01369-JLT-CDB (HC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THE PETITION FOR WRIT OF HABEAS
CORPUS WITH PREJUDICE**

(Doc. 5)

The assigned magistrate judge issued findings and recommendations to dismiss Petitioner's petition. The Court served the findings and recommendations on Petitioner and gave him 21 days to file objections thereto. The findings and recommendations advised that failure to file objections within the specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)).

On February 9, 2023, the Court granted Petitioner's motion for a 14-day extension of time to file objections. (Docs. 6, 7). The last day on which Petitioner could file objections to the magistrate judge's findings and recommendations, if any, was February 28, 2023. (Doc. 7). On March 6, 2023, the Clerk of Court received and filed Petitioner's objections. (Doc. 8). Because those objections were dated February 28, 2023, the Court deems them timely. In his objections, Petitioner generally restates his claims to "actual innocence" and having no "unobstructed

1 procedural shot” to raising his claims, but otherwise fails to address the magistrate judge’s
2 findings and recommendations. According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted
3 a *de novo* review of this case. Having carefully reviewed the entire file, the Court concludes the
4 findings and recommendations are supported by the record and by proper analysis. Based upon
5 the foregoing, the Court **ORDERS**:

- 6 1. The findings and recommendations issued on January 24, 2023 (Doc. 5) are
7 **ADOPTED IN FULL.**
- 8 2. The Clerk of Court be directed to close this case.

9
10 IT IS SO ORDERED.

11 Dated: **March 10, 2023**


UNITED STATES DISTRICT JUDGE